

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KAREN BARRETT,

Civ. Act. No.: 10-CV-4600 (AKH)

Plaintiff,

-against-

**NOTICE OF MOTION**

HARTFORD LIFE AND ACCIDENT  
INSURANCE COMPANY,

DOCUMENT  
**ELECTRONICALLY FILED**

Defendant.

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**PLEASE TAKE NOTICE** that, upon the Declaration of Michael H. Bernstein, Esq. dated June 21, 2011 and the exhibits annexed thereto, and the accompanying Memorandum of Law In Support Of Its Motion To Strike Plaintiff's Improper Extra-Record Submission, all simultaneously submitted herewith, and upon all prior pleadings and proceedings previously had herein, defendant, HARTFORD LIFE INSURANCE COMPANY incorrectly sued herein as Hartford Life And Accident Insurance Company ("Hartford"), by its attorneys, Sedgwick LLP, will move this Court, on a date and at a time set by the Court, before the Hon. Alvin K. Hellerstein, U.S.D.J., at the United States District Courthouse for the Southern District Of New York, 500 Pearl Street, Courtroom 14D, New York, New York 10007 for an Order pursuant to Rules 37(c) and 56(e), FED. R. CIV. PROC., striking Exhibits "C" through "H" to the Affirmation of Scott M. Riemer, dated May 17, 2011 (Doc. No. 29), and for such other and further relief this Court deems just and proper.

Dated: New York, New York  
June 21, 2011

Respectfully Submitted,

s/

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MICHAEL H. BERNSTEIN (MB 0579)

JOHN T. SEYBERT (JS 5014)

DANIEL M. MEIER (DM 2833)

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(SDMA File No. 02489-000082)

***Attorneys for Defendant***

HARTFORD LIFE INSURANCE COMPANY

To: Scott M. Riemer, Esq. (SR 5005)  
RIEMER & ASSOCIATES LLC  
60 East 42<sup>nd</sup> Street, Suite 1750  
New York, New York 10165  
Telephone: (212) 297-0700  
*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I, DANIEL M. MEIER, hereby certify and affirm that a true and correct copy of the attached **NOTICE OF MOTION** was served **via ECF** and **via regular mail** on June 21, 2011, upon the following:

Scott M. Riemer, Esq. (SR 5005)  
RIEMER & ASSOCIATES LLC  
60 East 42<sup>nd</sup> Street, Suite 2430  
New York, New York 10165  
Tel.: (212) 297-0700

Dated: New York, New York  
June 21, 2011

s/  
\_\_\_\_\_  
DANIEL M. MEIER (DM 2833)